

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of the Claims:

1-86. (Cancelled).

87. (Currently amended) A method for selling a music-based video game for execution on a game platform in conjunction with a recorded music product comprising a musical content, the method comprising the steps of:

(a) receiving the musical content;

[[(a)]] (b) creating a ~~portion of~~ music-based video game based on musical elements of the musical content, wherein gameplay of the music-based video game comprises based on the game platform determining if the input actions performed by the player are done a quantum of music content in synchronization with a playback of the musical content by the game platform, the portion of a video game and the quantum of music content embodied as separate downloadable units;

[[(b)]] (c) storing, on a server, the ~~portion of the video game~~ a downloadable digital carrier that includes both the music-based video game and a recorded music product comprising the musical content as separate units;

[[(c)]] (d) offering for sale, via an online store, as a single purchase unit, the portion of the downloadable digital carrier, such that a user may purchase the digital carrier and receive the music-based video game as well as the recorded music product comprising the musical content for playback independent of the game platform; the ~~video game and the quantum of music content, the quantum of music content in a format such that playback can be achieved independent of the game platform;~~ and

[[(d)]] (e) transmitting electronically, the downloadable digital carrier to the player ~~a user,~~ the quantum of music content and the portion of the video game.

88-93. (Cancelled)

94. (Currently amended) The method of claim 87 wherein ~~step (a) comprises creating a video game based on the quantum of music content in which the user~~ the player performing actions in synchronization with a playback of the musical content by the game platform comprises the player providing input is received via an input device selected from the group consisting of: a camera; a floor pad; a microphone; a musical controller, and a game controller.

95. (Currently amended) The method of claim 87 wherein ~~step (a) comprises creating a portion of a video game based on the quantum of music content in which~~ gameplay of the music-based video game is presented to the user as a musical time axis is represented as a spatial path.

96. (Previously presented) The method of claim 95 wherein the spatial path does not lie within an image plane of a display and is rendered into the image plane of the display.

97. (Currently amended) The method of claim 87 wherein ~~step (a) comprises creating a portion of a video game based on the quantum of music content that~~ the music-based video game further comprises includes ~~[[as]]~~ a game character that is a computer-generated likeness of a musician associated with the musical content.

98-100. (Canceled).

101. (Currently amended) The method of claim 97 wherein the musician is at least partially responsible for creating ~~the quantum of musical~~ content from which the ~~portion of the~~ music-based video game is created.

102. (Currently amended) The method of claim 101, wherein the computer-generated likeness of the musician responds to input from ~~[[a]]~~ the player.

103. (Currently amended) The method of claim 101, wherein the computer-generated likeness of the musician responds to music performance input from ~~[[a]]~~ the player.

104. (Currently amended) The method of claim 101, wherein the computer-generated likeness of the musician responds to music performance input from [[a]] the player, the music performance input corresponding to a portion of the musical content previously performed by the musician.

105. (Cancelled).